

SENATE BILL 34

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2003 Regular Session
3r1067

By: **Senator Stoltzfus**
Introduced and read first time: January 14, 2003
Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: February 14, 2003

CHAPTER _____

1 AN ACT concerning

2 **Somerset County - Ferry Companies - Franchises Company - Franchise**

3 FOR the purpose of authorizing the County Commissioners of Somerset County to
4 grant ~~one or more franchises~~ a franchise for a ferry company to operate ~~from~~
5 between Somerset County and Reedville, Virginia on a nonexclusive an
6 exclusive basis; requiring the County Commissioners of Somerset County to
7 review a certain proposed business and financial plan at a certain time;
8 authorizing the County Commissioners of Somerset County to adopt certain
9 regulations that are consistent with certain regulations adopted by the Public
10 Service Commission; prohibiting a ferry company granted a franchise under this
11 Act from conducting ~~certain~~ any gambling or gaming activities on any ferry that
12 it operates under the franchise; providing that the granting of a franchise under
13 this Act may not be construed to prohibit or restrict the operation of certain
14 passenger ferry service between certain locations; and generally relating to a
15 public transportation ~~franchises~~ franchise in Somerset County.

16 BY adding to
17 Article 25 - County Commissioners
18 Section 3D(a)(3)
19 Annotated Code of Maryland
20 (2001 Replacement Volume and 2002 Supplement)

21 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
22 MARYLAND, That the Laws of Maryland read as follows:

1

Article 25 - County Commissioners

2 3D.

3 (a) (3) (I) NOTWITHSTANDING ANY ANTICOMPETITIVE EFFECT, THE
4 COUNTY COMMISSIONERS OF SOMERSET COUNTY MAY GRANT ~~ONE OR MORE~~
5 ~~FRANCHISES~~ A FRANCHISE FOR A FERRY COMPANY TO OPERATE ~~FROM BETWEEN~~
6 SOMERSET COUNTY AND REEDVILLE, VIRGINIA ON A NONEXCLUSIVE AN EXCLUSIVE
7 BASIS.

8 (II) BEFORE GRANTING A FRANCHISE FOR A FERRY COMPANY, THE
9 COUNTY COMMISSIONERS OF SOMERSET COUNTY SHALL REVIEW THE PROPOSED
10 BUSINESS AND FINANCIAL PLAN ~~FOR~~ OF THE FERRY COMPANY.

11 (III) 1. THE COUNTY COMMISSIONERS OF SOMERSET COUNTY
12 MAY ADOPT REGULATIONS TO CARRY OUT THE PROVISIONS OF THIS PARAGRAPH.

13 2. REGULATIONS ADOPTED UNDER THIS SUBPARAGRAPH
14 SHALL BE CONSISTENT WITH ANY REGULATIONS ADOPTED BY THE PUBLIC SERVICE
15 COMMISSION THAT RELATE TO FERRY COMPANIES.

16 (IV) A FERRY COMPANY THAT IS GRANTED A FRANCHISE UNDER
17 THIS PARAGRAPH MAY NOT CONDUCT ANY GAMBLING OR GAMING ACTIVITIES
18 ~~PROHIBITED UNDER THE CRIMINAL LAW ARTICLE~~ ON ANY FERRY THAT IT OPERATES
19 UNDER THE FRANCHISE.

20 SECTION 2. AND BE IT FURTHER ENACTED, That the granting of a
21 franchise under this Act may not be construed to prohibit or restrict the operation of
22 any passenger ferry service between Crisfield and Smith Island or between Crisfield
23 and Tangier Island that is in existence on the effective date of this Act.

24 ~~SECTION 2. 3.~~ AND BE IT FURTHER ENACTED, That this Act shall take
25 effect October 1, 2003.